

Memorandum

To: Julie Dubick
From: James Ingram
Re: Sections 57 and 58 of the Charter
Date: June 28, 2007

Per the Subcommittee on Duties of Elected Officials' request for an indication of the City Attorney's opinion on the implications of managed competition for public safety members, I requested clarification from the City Attorney's Office. Catherine Bradley emailed me a copy of the City Attorney's October 9, 2006 Report on Resolution of Intent of Managed Competition. The Report suggested language to be adopted to clarify that the City does not intend to subject the services provided by sworn personnel to managed competition.

The language of the resolution was as follows: "BE IT RESOLVED by the Council of City of San Diego, that the City Council and Mayor hereby declare their intent that services provided by City police, fire, and lifeguard service safety members will not be subject to Managed Competition because it is not in the public interest to contract out these safety services to an independent contractor."

Perhaps this language could be added into Charter Section 117 as subsection (d):

"The services provided by City police, fire, and lifeguard service safety members will not be subject to Managed Competition."

However, the Subcommittee indicated that its membership felt that they would not want to prevent some types of subcontracting that the City now does, and that they thought this was a matter for either another Subcommittee or the Committee of the Whole.